

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 01 1991

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 01 1991

The applicant Liquid Air Corporation

P.O. Box 8038, of Walnut Creek,  
Street and No. or P.O. Box No. City or Town

California 89523 94596, hereby make S. application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) January 9, 1970 - Delaware

1. The source of the proposed appropriation is Underground  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 CFS second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet \_\_\_\_\_

3. The water to be used for Industrial and Domestic Purposes  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated \_\_\_\_\_

(b) Stockwater, state number and kinds of animals to be watered \_\_\_\_\_

(c) Other use (describe fully under "No. 12. Remarks") \_\_\_\_\_

(d) Power:

(1) Horsepower developed \_\_\_\_\_

(2) Point of return of water to stream \_\_\_\_\_

5. The water is to be diverted from its source at the following point within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 17,  
Describe as being within a 40-acre subdivision of public

T.8N., R.32E., M.D.M. or at a point from which the southeast corner of said  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Section 17 bears S. 45° 17' E. 2466 Feet.

6. Place of use Section 18 and the E $\frac{1}{2}$ , N $\frac{1}{2}$ , W $\frac{1}{2}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 17 T.8N.,  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

R.32E., M.D.M.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump, storage tank and  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
pipng to proposed plant.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$75,000

10. Estimated time required to construct works..... 2 years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Liquid Air Corporation is proposing to build a plant which will manufacture specialty gases. The plant will be approximately 20,000 square feet in size. Water will be used in the manufacturing process and for fire flow protection.

By s/Thomas A. Foote, Agent  
5190 Neil Road, #300  
Reno, NV 89502

Compared..... bc/bc ..... ap/se

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 1.0 .....cubic feet per second, but not to exceed 1.89 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... July 29, 1994

Proof of completion of work shall be filed on or before..... August 29, 1994

Application of water to beneficial use shall be made on or before..... July 29, 1997

Proof of the application of water to beneficial use shall be filed on or before..... August 29, 1997

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 29th day of July

Cultural map filed.....

Certificate No..... Issued..... A.D. 19 92

*[Signature]*  
State Engineer

CANCELLED OCT 30 1995 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
*[Signature]*  
STATE ENGINEER